

State of Illinois 91st General Assembly Final Senate Journal

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIRST GENERAL ASSEMBLY

65TH LEGISLATIVE DAY

THURSDAY, JANUARY 20, 2000

9:00 O'CLOCK A.M.

No. 65

[Jan. 20, 2000]

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The Senate met pursuant to adjournment.
Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.
Prayer by Reverend Kevan Franklin, First Congregational Church of
Christ, Springfield, Illinois.
Senator Radogno led the Senate in the Pledge of Allegiance.

Senator Myers moved that reading and approval of the Journal of
Wednesday, January 19, 2000 be postponed pending arrival of the
printed Journal.

The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

A report on survey results of agencies' needs for employees with bilingual capabilities submitted by the Department of Central Management Services pursuant to The Personnel Code, 20ILCS 415/9(6).

The 1998 Report on Illinois Child Care submitted by the Department of Human Services.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

PRESENTATION OF RESOLUTION

Senator O'Malley offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 262

WHEREAS, The federal government plans to introduce new train whistle-blowing regulations requiring locomotives to sound warnings at all railroad crossings, dramatically increasing the number of locations where whistles would have to be sounded in Illinois; and

WHEREAS, These high-decibel train whistles will not only disturb the sleep patterns of our citizens and diminish the quality of life, but they will also devalue real estate located near grade crossings; and

WHEREAS, These whistle-blowing regulations will apply to all grade-crossings except those where extraordinary safety devices have been installed such as: median walls to keep motorists from driving around lowered gates, four-quadrant gates that block all traffic lanes, grade-crossing surveillance cameras, and vehicle-arresting nets; and

WHEREAS, Grade-crossings with automatic grade-crossing devices such as warning lights, bells, and gates, which are already in place at the majority of railroad crossings in Illinois (of 9,150 public grade-crossings in the State, about 55% have automatic devices), would not be sufficient to prohibit train whistles from being sounded at these crossings; and

WHEREAS, In order to obtain exemptions from the sounding of these high-decibel train whistles, the State and local governments will be forced to spend substantial sums of money that could be better spent on other safety-related projects and it is unfair of the federal government to impose costly, unfunded mandates of this type; and

WHEREAS, While even a single grade-crossing accident or death is unacceptable, substantial progress in the area of grade-crossing

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safety has been made; grade-crossing accidents in Illinois have fallen dramatically from 827 in 1978 to 168 in 1998; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the federal government to cease and desist in imposing these sleep-disturbing, costly, and unwarranted regulations on the states; and be it further

RESOLVED, That if grade-crossing safety is a substantial problem in other areas of the country that these types of regulations are needed, that a suitable opt-out provision be included which would allow individual states which have made great strides in the area of grade-crossing safety to not enforce these new regulations and avoid any possible federal sanctions. This opt-out provision should require the Governor to sign and submit a written certification stating that he is opposed to the enforcement of the regulations and that the legislature has adopted a resolution expressing its opposition to the regulations; and be it further

RESOLVED, That suitable copies of this resolution be sent to the Secretary of the Federal Railroad Administration and the members of the Illinois congressional delegation.

INTRODUCTION OF BILLS

SENATE BILL NO. 1400. Introduced by Senators Klemm - Watson, a bill for AN ACT to amend the Emergency Telephone System Act by changing Section 15.6.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1401. Introduced by Senator Link, a bill for AN ACT concerning telecommunications facilities, amending named Acts.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1402. Introduced by Senator Ronen, a bill for AN ACT concerning psychologists.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1403. Introduced by Senator Halvorson, a bill for AN ACT concerning discount prescription drugs for senior citizens.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1404. Introduced by Senator W. Jones, a bill for AN ACT concerning the regulation of audiologists.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1405. Introduced by Senator L. Madigan, a bill for AN ACT to amend the Criminal Code of 1961 by adding Section 24-10.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1406. Introduced by Senator L. Madigan, a bill for AN ACT to amend the Criminal Code of 1961 by changing Section 12-4.

The bill was taken up, read by title a first time, ordered

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printed and referred to the Committee on Rules.

SENATE BILL NO. 1407. Introduced by Senator Obama, a bill for AN ACT to amend the Illinois Public Aid Code by adding Section 4-1.6b.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1408. Introduced by Senator Obama, a bill for AN ACT to amend the Illinois Public Aid Code by changing Section 5-2.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1409. Introduced by Senator Noland, a bill for AN ACT to amend the Code of Criminal Procedure of 1963 by changing Section 108B-8.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1410. Introduced by Senator Parker, a bill for AN ACT to amend the Disabled Persons Rehabilitation Act by changing Section 3.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1411. Introduced by Senator Watson, a bill for AN ACT to amend the Environmental Protection Act by changing Section 58.13.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1412. Introduced by Senator Trotter, a bill for AN ACT to amend the School Code by changing Sections 10-22.6 and 34-19.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1413. Introduced by Senator Obama, a bill for AN ACT to amend the Children's Health Insurance Program Act by changing Sections 10 and 20 and adding Section 36.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1414. Introduced by Senator Munoz, a bill for AN ACT to amend the Local Governmental and Governmental Employees Tort Immunity Act by adding Section 4-108.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1415. Introduced by Senators Munoz - Dudycz, a bill for AN ACT to amend the Metropolitan Water Reclamation District Act by changing Section 4.32.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1416. Introduced by Senator Munoz, a bill for AN ACT to amend the Local Governmental and Governmental Employees Tort Immunity Act by adding Section 4-108.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

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SENATE BILL NO. 1417. Introduced by Senator Burzynski, a bill for AN ACT to amend the Northern Illinois University Law by changing Section 30-10.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1418. Introduced by Senator Shaw, a bill for AN ACT to amend the Illinois Municipal Code by changing Sections 8-12-3 and 8-12-4.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1419. Introduced by Senator Cronin, a bill for AN ACT to amend the State Employees Group Insurance Act of 1971 by changing Section 3.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1420. Introduced by Senator Cronin, a bill for AN ACT to amend the Property Tax Code by changing Sections 15-5 and 15-60.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1421. Introduced by Senator O'Malley, a bill for AN ACT to amend the Illinois Banking Act by changing Section 33.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1422. Introduced by Senator O'Malley, a bill for AN ACT to amend the Illinois Savings and Loan Act of 1985 by changing Sections 1-10.14 and 1-10.21.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1423. Introduced by Senator O'Malley, a bill for AN ACT to amend the Illinois Pension Code by changing Section 17-116.3 and to amend the State Mandates Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1424. Introduced by Senator R. Madigan, a bill for AN ACT to create the Mandated Benefits Review Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1425. Introduced by Senator Dudycz, a bill for AN ACT concerning the Chicago Park District.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1426. Introduced by Senator Dillard, a bill for AN ACT in relation to probation and supervision.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

At the hour of 9:24 o'clock a.m., Senator Maitland presiding.

READING BILLS OF THE SENATE A SECOND TIME

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On motion of Senator Dillard, **Senate Bill No. 1358** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 1359** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 1360** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 1361** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 1362** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 1363** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 1364** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 1365** having been printed, was taken up, read by title a second time and ordered to a third reading.

REPORTS FROM RULES COMMITTEE

Senator Weaver, Chairperson of the Committee on Rules, during its

January 20, 2000 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committees of the Senate:

Commerce and Industry: **Senate Bill No. 1331.**
Education: **Senate Bill No. 1295.**
Executive: **Senate Bills numbered 1277 and 1389.**
Judiciary: **Senate Bills numbered 1231 and 1388.**
Revenue: **Senate Bills numbered 1276, 1304, 1312 and 1326.**

Senator Weaver, Chairperson of the Committee on Rules, during its January 20, 2000 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Education: **House Bill No. 2580.**
Transportation: **House Bill No. 2883.**

Senator Weaver, Chairperson of the Committee on Rules, reported that the Committee recommends that **Senate Bill No. 1252** be re-referred from the Committee on Transportation to the Committee on Rules.

Senator Weaver Chairperson of the Committee on Rules, to which was referred **Senate Bill No. 677**, on January 2, 2000, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be

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approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 677**, was returned to the order of third reading.

Senator Weaver, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

Senate Amendment No. 2 to Senate Bill 677

The foregoing floor amendment was placed on the Secretary's Desk.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 260

Offered by Senator Noland and all Senators:
Mourns the death of Ryan Tucker McGinn of Peoria.

Senator Maitland moved the adoption of the foregoing resolution.
The motion prevailed.
And the resolution was adopted.

PRESENTATION OF RESOLUTION

Senator Donahue offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 50

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, January 20, 2000, the Senate stands adjourned until Wednesday, January 26, 2000, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Monday, January 24, 2000, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, January 25, 2000, at 1:00 o'clock p.m.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

INTRODUCTION OF BILLS

SENATE BILL NO. 1427. Introduced by Senator Sullivan, a bill for AN ACT to amend the Emergency Medical Services (EMS) Systems Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1428. Introduced by Senator del Valle, a bill for AN ACT to amend the Illinois Vehicle Code by changing Section 12-611.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

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SENATE BILL NO. 1429. Introduced by Senator Petka, a bill for AN ACT to amend the Religious and Charitable Risk Pooling Trust Act by changing Sections 2, 6, and 15.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1430. Introduced by Senator Karpiel, a bill for AN ACT concerning fire protection districts.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1431. Introduced by Senator Clayborne, a bill for AN ACT concerning corporate accountability for tax expenditures.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

SENATE BILL NO. 1432. Introduced by Senator Cullerton, a bill for AN ACT to repeal the Soft Drink Industry Fair Dealing Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 263

Offered by Senator Karpiel and all Senators:
Mourns the death of Ellen Johnsen of St. Charles.

The foregoing resolution was referred to the Resolutions Consent Calendar.

At the hour of 10:40 o'clock a.m., on motion of Senator Geo-Karis, and pursuant to **Senate Joint Resolution No. 50**, the Senate stood adjourned until Wednesday, January 26, 2000 at 12:00 o'clock noon.

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